

Supplemental Declaration

DEC-03-2004 14:27

HAHN LOESER + PARKS

3308647986

P.01/03

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 09/680,172 Confirmation No. 8130
Applicant : Remi Swierczek
Filed : October 5, 2000
TC/A.U. : 3625
Examiner : Matthew S. Gart

Docket No. : 5713-2
Customer No. : 021324

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

*Received
on 12/3/4
MS*

DECLARATION UNDER 37 C.F.R. §1.131

I, Robert J. Clark, declare:

- (1) That I am the practitioner in the instant United States Patent Application Serial No. 09/680,172, filed October 5, 2000, which claims the benefit of United States Provisional Patent Application 60/158,087, filed October 7, 1999.
- (2) That shortly after May 20, 1999, I worked with the Mark Watkins (Reg. No. 33,813) and the Inventor Remi Swierczek to draft a provisional patent application which was eventually filed on October 7, 1999 as United States Provisional Patent Application 60/158,087.
- (3) That the attached Exhibit is a docket record for United States Provisional Patent Application 60/158,087, printed on October 23, 2000.
- (4) That the Provisional Application docket record shows that the provisional file was opened on June 18, 1999 and entered into the docketing system.

Appl. No. 09/680,172

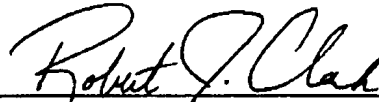
Declaration Under 37 C.F.R. §1.131

- (5) That from at least June 18, 1999 until October 7, 1999, reasonable diligence was exercised to achieve a constructive reduction to practice of the invention.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under §1001 of Title 18 of the U.S.C. and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

12/03/2006

Date


Robert J. Clark

Robert J. Clark

DEC-03-2004 14:28 HAHN LOESER + PARKS 3308647986 P.03/03
 OPER LAH ENTERED 06/18/1999 MODIFIED 10/23/2000 ATTORNEYS MAW / MAW / RJC PRINTED ON 10/23/2000

Oldham# 5713-1-PRV CTRY US UNITED STATES NEW/CON NEW RELATED
 PATS# P03247US0 TYPE PRV SERIAL# 60/158,087 PATENT# STAT CONVERTED
 TITLE MUSIC IDENTIFICATION SYSTEM ART
 CLIENT 5713 SWIERCZEK, REMI 1 CREF SE YES INTLD
 AGENT AREF CLAIMS INTLN
 PRIOR MAIL 10/07/1999 FILE 10/07/1999 PUBL ISSUE ABN y 10/05/2000 1ST 10/07/1999

ID	O	ACTION	BASE	DUE IN	DUE	EXTNS	FINAL	EXT	RESPONSE	CALL	1	2	P
FI	N	APPLICATION FILED?	08/18/1999	2M	08/18/1999	3:1	11/18/1999	2	10/07/1999	2M	Y	Y	Y
IR	N	INVENTION RECORD?	06/18/1999	75D	09/01/1999	1:1	10/01/1999	1	10/15/1999	0M	Y	Y	Y
DONE PER PAT													
PC	N	POST CARD CHECK	10/07/1999	2M	12/07/1999		12/07/1999	0	10/18/1999	0M	Y	Y	Y
FS	N	FILE RCPT RECEIVED	10/07/1999	3M	01/07/2000		01/07/2000	0	10/28/1999	0M	Y	Y	Y
PW	N	PRV/F.F. WTHD.LTR.	10/07/1999	3M	01/07/2000		01/07/2000	0	01/07/2000	0M	Y	Y	Y
NO LETTER SENT/ NO BAL. DUE													
NC	N	NOTIFY CLIENT OF FF	10/07/1999	6M	04/07/2000		04/07/2000	0	04/28/2000	1M	Y	Y	Y
SC	N	STATUS CHECK	10/07/1999	6M	04/07/2000		04/07/2000	0	06/09/2000	0M	Y	Y	Y
FU	N	FF FOLLOWUP REMINDER	10/07/1999	8M	06/07/2000		06/07/2000	0	06/07/2000	1M	Y	Y	Y
2C	N	PRV/CONVERT REMINDER	10/07/1999	10M	08/07/2000		08/07/2000	0	09/22/2000	1M	Y	Y	Y
CLIENT HAS OK'D CONVERSION PER RJC													
CE	N	CONVENTION ENDS	10/07/1999	12M	10/07/2000		10/07/2000	0	10/06/2000	2M	Y	Y	Y
UTILITY APPLICATION FILED (5713-2) 10/5/00 PER RJC DOCKET.													

INVENTORS

SWIERCZEK, REMI

NOTES

CONVERTED TO FILE 5713-2 09/680,172 FILED: 10/05/2000 (FIND FILE CONTENTS OF FILE 5713-1-PRV IN FILE NUMBER 5713-2)